

**REMARKS**

The above amendment is made to more clearly point out the features of the specified thermionic device and to address the 35 U.S.C. § 112 rejection of claim 15. The amendment also identifies claim 21 as 'Original', not 'Withdrawn' because it appears to have been incorrectly grouped with method claims 18-20 instead of power supply claims 1-17 and 22-25. Note that claim 22 depends from claim 1.

The Office Action rejects claim 15 under 35 U.S.C. § 112, second paragraph as allegedly indefinite for not specifying the component against which the temperature differential of the anode is to be compared. The amendment amends the language to clarify that the anode temperature differential is maintained against the cathode (see application specification at page 11, lines 11-13). Accordingly, Applicants respectfully request that this rejection be withdrawn.

The Office Action rejects claims 1, 13, and 14 under 35 U.S.C. § 102(b) as anticipated by Botti et al and rejects claims 15-17 and 22-25 under 35 U.S.C. § 103(a) as unpatentable over Botti et al. These rejections are respectfully traversed.

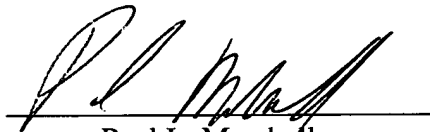
Each of the rejected claims requires a thermionic device. The term 'thermionic' is an art-recognized term referring to the emission of electrons by heating metal or metal oxide surfaces (see, e.g., *Oxford Dictionary of Science*, 4<sup>th</sup> ed., 1999, Oxford University Press, which defines 'Thermionics' as "[t]he branch of electronics concerned with the study and design of devices based on the emission of electrons from metal or metal-oxide surfaces as a result of high temperatures.") All of the portions of the Botti et al reference cited by the Office Action as purportedly showing a thermionic device are in fact directed to a system having heat exchangers transmitting heat energy from one part of a solid oxide fuel cell-based power generating system to another part (e.g., using heat from the SOFC to pre-heat air being fed into a combustor). Although the reference contains a generic disclosure at column 8, lines 32-40 of optional equipment that could be included in such a system, there is no disclosure or suggestion of a system having a solid oxide fuel cell and a thermionic device as claimed by Applicants.

Although Applicants believe that the term 'thermionic device' is sufficiently well-defined by itself to distinguish from the Botti et al reference, Applicants have amended the claims to specify that the device comprises a cathode and an anode. Clearly, no such device is disclosed or suggested in the Botti et al reference to be used in combination with a solid oxide fuel cell in a power generating system. Accordingly, Applicants respectfully submit that the rejection as anticipated by or unpatentable over Botti et al should be withdrawn.

requires restriction between claims 1-17, 22-25 (Group I) and claims 18-21 (Group II). This requirement is respectfully traversed. The Office Action characterizes these groups of claims as being related as process of making and product made; however, Applicants submit that they would be more properly characterized as related as apparatus and method of use because Applicants are not claiming the product made (power), and are instead claiming the power supply (apparatus for making power) and a method of use (method of making power). In either case, however, Applicants note that the Office need show only one-way distinctness in order to support the requirement for restriction.

For the above reasons, Applicants respectfully submit that the present application is in condition for allowance and request early action toward that end. If there are any charges with respect to this response, or otherwise, please charge them to Deposit Account No. 50-0831.

Respectfully submitted,

  
Paul L. Marshall  
Registration No. 31,178

Date: March 14, 2007  
Address: Delphi Technologies, Inc.  
Legal Staff – Intellectual Property  
MC: 480-410-420  
5825 Delphi Drive  
Troy, Michigan 48098  
Telephone: (248) 813-1240